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| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/502,380 | Carl Berthelette | MC055P |

| INTERNATIONAL APPLICATION NO. |
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|-------------------------------|

PCT/CA03/00084

000210
 MERCK AND CO., INC
 P O BOX 2000
 RAHWAY, NJ 07065-0907

| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|
| 01/22/2003 | 01/24/2002 |

CONFIRMATION NO. 3674

371 FORMALITIES LETTER



OC000000014885291

Date Mailed: 01/06/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/23/2004
- Copy of the International Search Report filed on 07/23/2004
- Copy of IPE Report filed on 07/23/2004
- Preliminary Amendments filed on 07/23/2004
- Oath or Declaration filed on 07/23/2004
- Copy of references cited in ISR filed on 07/23/2004
- U.S. Basic National Fees filed on 07/23/2004
- Priority Documents filed on 07/23/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

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PART 2 - OFFICE COPY

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